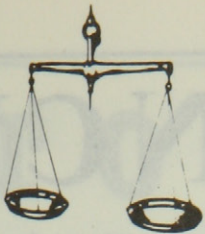


# Quid Novi



VOL. VII NO. 3

MCGILL UNIVERSITY FACULTY OF LAW  
FACULTE DE DROIT UNIVERSITE MCGILL

October 1, 1986  
le 1 octobre 1986

## J.J. Robinette - The Dean of Canadian Lawyers

LAW LIBRARY

OCT 6 1986

by Terry Pether

At the end of every school year, I return to spend the summer in Southampton, Ontario. On the shores of Lake Huron, it is a quiet and dignified town known mainly for its sandy beaches and spectacular sunsets. A few well known people have cottages there. One can see Martin Short in the local video rental shop or J.J. Robinette out for a walk along the beach. It is interesting, but by no means surprising that Mr. Robinette is probably the only Canadian lawyer who is nationally reknowned outside of the legal community, as much a celebrity as an entertainer.

### QUOTES OF THE WEEK

Julius Grey in Judicial Review of Administrative Action commenting on Canada's conservatism:

"If a statue were erected to the late Chief Justice Fauteux, he would be portrayed as holding a rope with a little noose at the end!"

Almost eighty, Robinette is a rarity among lawyers. He has secured his impressive reputation not because he is Canada's flamboyant answer to an F. Lee Bailey or Marvin Belli, but because he is an unrivalled generalist in a world of specialists. His successes are the results of a combination of diverse career choices and the personal qualities that influenced those choices.

John J. Robinette grew up in a cozy Toronto neighbourhood. His father was himself a prominent lawyer, but of the sort whose courtroom performances were designed to appeal to the emotions of jurymen cast unexpectedly into a human drama played out in the trial before them. By the time Robinette had completed his political science degree from the University of Toronto and graduated from Law at Osgoode Hall, (having won a gold medal for both achievements) the theatrical approach to advocacy had yielded to the succinct and steady method of fixing the courts attention on points of law, rather than on the lawyer arguing for them.

But before he began practising law, Robinette stayed on at Osgoode Hall

to lecture about property of all subjects! His first work as a lawyer was primarily in murder trials. If he saw one client go to the gallows, he also successfully argued the appeal which led, in spite of overwhelming evidence of guilt, to the acquittal of his accused, Evelyn Dick. She was that glamorous Hamiltonian who in the mid-40s was tried, after a few confessions and blood stains, for sawing the arms and legs from her husband's murdered body.

During the fifties, Robinette switched his interest to civil litigation on behalf of both big business and concerned citizen's groups. By the time Pierre Elliot Trudeau became prime minister of Canada, Robinette had become the federal government's favourite counsel on constitutional matters. He argued successfully for the validity of each of the Anti-Inflation Act, the Official Languages Act and the constitutional resolution of 1981.

Aside from sheer experience in so many areas, how did J.J. Robinette become as adept at handling witnesses and evidence in a

Cont'd on p. 5



# ANNOUNCEMENTS

## Court of Appeal Research Internships

I am pleased to announce that the Faculty has reached agreement with the Court of Appeal on a program of research assistantships at the Court. The Court is looking for three or four student assistants, both anglophone and francophone, who would spend approximately one day a week doing research for individual judges. Students interested in these internships would commit themselves for the full duration of the academic year 1986-87, starting as soon as possible. The Faculty is willing to grant academic credits for the internships under the courses First Research Seminar and Second Research Seminar, for a total of four (4) credits. Students interested in the Court of Appeal research internship program should contact Professor Ethel Groffier-Atala prior to October 1st. For the purpose of the internships, the course add-on and drop period will be extended.

P.P.C. Haanappel  
Associated Dean (Academic)

## L.I.R.G. Bakes It Up!

- Craving for sweets?
- Need some food for thought?

Look no further - the L.I.R.G. bake sale is here. Be there or be "square".

Wednesday, October 1, 1986  
12-2 p.m.  
in the Pit

Proceeds to go to benefit the publication of L.I.R.G. documents.

## L.I.R.G. Meeting

Thursday, October 2, 1986  
1-2 p.m.  
Room 202

Agenda: Distribution of  
Special Projects.

Interested in participation in L.I.R.G. but haven't had the time to attend its meeting?

Please drop by S.A.O. and pickup a L.I.R.G. Researcher/Writer Information Sheet and leave it in mailbox (under "L").

## Faculty Council

### Members

President L.S.A.: Maria Battaglia

V.P. L.L.B.: David Morley

V.P. B.C.L.: Lenny Roth

Student members at large:

Vincent Gallo  
Bob Higgins  
Debbie Raicek

1) Curriculum Committee/  
Comité du Curriculem:

Greg Borden  
Vincent Gallo  
Cheryl Goldsmith

2) Admissions Committee/  
Comité des Admissions:

Gary Naschen  
Debbie Raicek

3) Library Committee/  
Comité de la Bibliothèque:

Robert Grenier

4) Examination Committee/  
Comité des Examen:

Bob Higgins  
Bettina Karpel

5) Promotions & Renewals  
Committee/Comité de l'Avancement & Renouvellement  
des Postes d'Enseignants:

Christine Walter

6) Tenure Committee/Comité  
de la Tenure

Marilyn Preus

## Fellowships

Social Sciences and Humanities  
Research Council.

Doctoral:  
Deadline to SAO November 3  
Deadline in Ottawa:  
20 November.

Fonds F.C.A.R.

Fellowships for Master's  
and Doctoral studies:

Deadline for applications  
in Dept.:

Deadline in Ottawa: 1  
December.

Deadline for transcript  
request: 15 October 1986.

N.B.: Applications are  
available at SAO.

## Study the Talmud

Wednesday, October 1  
1:00 P.M.  
Rm. 201

This will be a weekly  
class covering material of  
general legal interest.  
Original texts in English  
translation will be used.

EVERYONE WELCOME. NO BACK-  
GROUND NEEDED.

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# EDITORIAL

by Terry Pether

Last Tuesday, a delegation of Soviet lawyers and legal scholars visited the law school. The group's only English speaking member poked fun at what he perceived as American ignorance (his audience concurred with laughter) while he sketched on the chalkboard a brief description of Soviet legal structures - the courts, government agencies and the College of Advocates. Unfortunately, the visitors arrived late, and their presentation was almost uselessly brief. Indeed, most on the panel of six barely said a word.

Still, I found myself fascinated just to be in the presence of law professors from the Soviet Union, not because they seemed so vastly unique, but because I could imagine many similarities between my own experiences as a law student and those of their students. I looked forward to the question period from which I had hoped to gather a more indepth and comparative understanding of the Soviet legal system.

Even if time had not frustrated my anticipation of a fruitful session, I wonder now if two or three hours in the Moot Court would have provided me with information I did not already know of, true or otherwise. The first question regarding the existence or not of Soviet constitutional freedoms and procedural rights was valid enough but thematically predictable. It seemed designed to be deliberately confrontational. If my impression is inaccurate, I apologize to the student

who asked that question. But I shall assume that it was an intentionally provocative question merely to make the point at hand.

I suspect that many of the questions, had there been time to pose them, would have been geared to elicit political debate rather than to elucidate the Soviet legal system. After all, one rarely meets Soviets face to face. But this would not have been an appropriate forum in which to voice our grievances against the abuses of the Communist Party.

I do not mean to suggest that there is nothing to be learned about the Soviet legal system by asking political questions. But I do think that there is just as much to learn about the political system by asking legal questions. That, to me, seems a more useful starting point. Then, not only do we explain away some of the overly general and paranoid myths by achieving a better appreciation of Soviet mechanisms, we also avoid casting our visitors as scapegoats or apologists for any number of the Soviet Union's unsavoury qualities of everyday life.

It is unfair that Russians should be implicated in the activities of their leadership merely because they are Russians. All Soviet citizens are not the same. Imagine yourself, as a Canadian lawyer visiting Moscow or Leningrad, being asked to account for why our nation has Indian reservations.

Perhaps Soviet lawyers and law professors do follow state doctrine too

uncritically. Perhaps they could do more for the Shcharansky(s) in their midst. Maybe their laws are empty words not worth the paper they are printed on. But there can be no certainty for us until we learn what the Soviet legal system is all about.

The delegation invited Dean Macdonald and those students present to consider a future meeting of more substance and length. "Then," said one visitor, "you can give us the third degree." Funny, he expects the third degree. That's acceptable if the questions are aimed towards a better understanding of the Soviet legal system. Only then, if they must, (and they must) can criticisms be raised in a manner suitable to the vocations of the people before us. If they return, our Russian guests should be offered intelligent questions and commentary, not so much more of uninformed and boring rhetoric.

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## Quid Novi Needs Writers!

Franco! Anglo! Tacos! Anybody! There are currently only a few of us who dominate the by-lines. You don't have to be a regular staff member. We'll take your letters, opinions, articles, satire, cartoons and quotes of the week from professors. We meet every Monday at 1 p.m. (look at the student notice board for room location). All entries must be under the Quid office door by 12 p.m. on Thursdays. Don't be cagey!



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Quid Novi est une publication hebdomadaire assurée par les étudiants de la faculté de droit de l'université McGill, 3644 rue Peel Montréal, H3A 1W9. La publication est rendue possible grâce à l'appui du bureau du doyen, ainsi que par le financement individuel des étudiants. Les opinions exprimées sont propres à l'auteur. Toute contribution n'est publiée qu'à la discrétion du comité de rédaction et doit indiquer l'auteur ou son origine.

# Letters to the Edit

## To the Editor of the Quid

I have been asked by a number of students how it is that certain law firms are able to obtain the names of students in the Faculty to whom they then send invitations to apply for summer jobs or articling positions. Since this is the time of year when recruitment for future employment is at its more intense, I thought it would be helpful to clarify the policy of the Faculty in this respect.

Pursuant to a longstanding Faculty Council decision, as confirmed by recent Quebec legislation on access on information and privacy, the Faculty does not give out to law firms either the class standing or the addresses of individual students.

It is common for the recruiting partner of major firms to telephone either the Dean, the Associate Dean or individual professors in order to obtain the names of students who those professors would in their personal capacity recommend as potential candidates for interviews. In such cases, individual faculty members may recommend students, but they will clearly indicate to prospective law firms that these students are being recommended by professors personally without any representation as to their class standing.

Moreover, in order to facilitate communication with students so recommended, it is practice to have the law firms send stamped envelopes with the names of the students directly to the Student Affairs Law

Office, who will then either post a notice for the students to pick up mail, or if the letters arrive during the summer, to type the students' address on the envelope and mail it.

Under no conditions is it Faculty policy for individual professors to disclose a list of the "top ten" or "top twenty" students to prospective employers. Nor is it Faculty policy to disclose the addresses of individual students. To my knowledge, such disclosure does not take place.

If students should determine that such disclosure has occurred, they should contact the Student Affairs Office to indicate the name of the law firm concerned and the signatory of the letter so that we may take steps to insure that no repetition of this practice occurs.

Roderick A. Macdonald  
Dean

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To the Quid:

When my bicycle and I were greeted the other day by the obnoxious gate which bars entrance to Fort Chancellor Day, the elusive reason why the gate has to go finally struck me. Like most students here, I feel that the gate is an offensive eyesore. Moreover, when various vehicles park with their noses up against the padlock, a hazard is created whereby pedestrians are forced to venture out onto Peel St.

Cont'd on p. 5



**J.J. Robinette**  
Cont'd from p. 1

trial as he did in presenting legal issues before an appellate court? The lawyer himself will tell you that you win by "preparation and drudgery". "You do research and read law". Indeed, unlike most senior counsel, he does not delegate his library work to a bunch of juniors.

Robinette's colleagues praise his ability to take a case beyond "hate and competition and ego". They admire his knack for getting to the "essence" of the issue at stake. He will even accept cases which he cannot win if there is a legal point that he believes the court should consider. He agreed to defend Harold Ballard in the face of damaging evidence that the hockey club owner had diverted Maple Leaf Gardens funds to personal use. Ballard went off to jail, but his lawyer had had some technical arguments he wanted to make.

Robinette, his admirers also claim, has a legal mind that reponds intuitively to changes in social conditions calling for new law. And his impressions are so persuasively presented that they often factor into Canadian law. For example, with the Anti-Inflation case, Robinette complemented his caselaw with conceptual arguments around peace, order and good government about the type of country Canadians wanted for themselves.

When he is not relaxing in Southampton, Robinette lives in the Forest Hill section of Toronto and works out of the offices of McCarthy & McCarthy, the law firm with which he has been associated with for

over thirty years. A life-long Liberal, he could have been a politician. The party wanted him, but he valued his privacy too much. He could have been on the bench of the Ontario Court of Appeal and ultimately perhaps a Canadian Supreme Court justice; but he resigned his 1953 appointment to the former at the last minute. He preferred arguing cases to deciding them.

Robinette remains a formidable figure in the Canadian legal setting. On those few occasions when I have seen him at the lake, I'm struck by the fame and respect he has achieved through just plain hard work in his unique and varied legal career. Specialization is inevitable and probably favourable. But one can't help but admire John J. Robinette as he stands alone among lawyers about whom one can truly say he is a jack of all (legal) trades and master of each.

**Letters to the Editor**  
Cont'd from p. 4

The reason that the gate must go, though, and the reason why it must be dismantled now, is that it is entirely inconsistent with the Faculty's policy of accomodating handicapped students. Specifically, and you can easily verify this yourself, the gate blocks the only wheelchair access to the building. The west side of Chancellor Day Hall - the only other entrance - is surrounded by stairs. Go look for yourself: the gate has, in effect, made wheelchair access to Chancellor Day Hall impossible.

John Hale  
B.C.L. IV

# Dear Abby Initio

**New! In the Quid**

Are you shy? Need advice? Having trouble sleeping at night? Is something intensely personal bothering you?

Does your law partner not have all the answers?

Can't find it in the Code?

Then slip an anonymous letter under the door of the Quid and let "Dear Abby Initio" find the solution to your problem.

Dear Abby Initio,

My mooting partner keeps making sexual advances in the library. What should I do?

Corralled in the Carrals

Dear Corralled,

It seems to me that you can do one of two things: respond to the advances or appeal to your partner's common sense. You might point out, for example, that such activities are not normally carried out between the sheets of the D.L.R.'s. Or respond with a sic utere non laedus.

Remember, though, that common sense and latin maxims may not affect your partner's judgement when the lights go off at 10:30 for that brief but oh so romantic moment.

Confidential to Head of State of Confusion:

Power corrupts and absolute power corrupts absolutely.



# Le Code de Hammourabi (2<sup>ème</sup> partie)

## Le mariage et le divorce

133. Si un homme a été fait captif, et s'il y a de quoi manger dans sa maison, et sa femme est sortie de la maison de son époux, est entrée dans une autre maison; parce que cette femme n'a pas gardé son corps, et est entrée dans une autre maison, on la fera comparaître, et on la jettera dans l'eau.

134. Si un homme a été fait captif, et s'il n'y a pas de quoi manger dans sa maison, et si sa femme est entrée dans une autre maison, cette femme est sans faute.

137. Si un homme s'est disposé à répudier une concubine qui lui a procréé des enfants, ou bien une épouse qui lui a procréé des enfants, on rendra à cette femme sa serigtu, et on lui donnera une part des champs, verger et autre bien, et elle élèvera ses enfants. Après qu'elle aura élevé ses enfants, on lui donnera une part d'enfant de tout ce qui sera donné aux enfants, et

elle épousera l'époux de son choix.

138. Si un homme veut répudier son épouse qui ne lui a pas donné d'enfants, il lui donnera (tout l'argent) de sa tirhātu, et lui restituera intégralement la serigtu qu'elle a apportée de chez son père, et il la répudiera.

139. S'il n'y a pas de tirhātu, il lui donnera une mine d'argent pour la répudiation.

140. Si c'est un muskênu, il lui donnera un tiers de mine d'argent.

143. Si elle n'est pas sérieuse, mais coureuse, si elle dilapide la maison, néglige son mari, on jettera cette femme dans l'eau.

145. Si un homme a pris une épouse et si elle ne lui a pas donné d'enfants, et s'il se dispose à prendre une concubine, il peut prendre une concubine, et l'introduire dans sa maison. Il ne rendra pas cette concubine l'égale de l'épouse.

# Student/Faculty Computer User Group

by John Godber, B.C.L. III

Arrangements have been made with the Faculty of Education's computer lab to allow law students to purchase user cards at a reduced rate of \$25.00 per semester. The computer lab is situated in Room 328 of The Faculty of Education building, across the street from the Air and Space Institute at 3674 Peel. The lab has an impressive array of software packages for use on IBM PCs, Macintosh Pluses and Apple IIEs. The \$25.00 fee includes access to the lab from Monday to Friday between 9 a.m. and 9 p.m. and on Saturdays from 10 a.m. to 5 p.m. as well as the use of all software and hardware and regular printing services. For near typeset quality printing on a Laserjet printer, the computer lab charges \$0.10 per page. There is a tutor on duty at all times to help you get started and there are many tutorial programs available to help you learn everything from touch typing to word and data processing.

Cont'd on p. 8

Hägar The Horrible

By Dik Browne





# MAYBERRY MEETS MASON IN "MATLOCK"

by Terry Pether

Accused: "I loved her!"

Matlock: "That's not a defence"

Accused: "Then what the hell is?"

That's about as close to legal reality as "Matlock", a new offering on American television's fall schedule gets. The show stars veteran actor Andy Griffith as an affable Atlanta

attorney who graduated with top honours from Harvard law school. Shunning a lucrative career, Matlock is joined in his homey practice by his mothering daughter lawyer and a cocky young man who reluctantly does all of the tedious work which, I hope, is not why a black actor was cast in the role. Anyway, the trio works out of a typically panelled office with leather wing chairs

and a trout mounted on the only wall not lined with barely touched case reports.

The premier episode, entitled "The Judge", opens with a couple making out. Then the guy goes off for a steamy shower. Just when you're expecting a "Psycho" kill, the man who had earlier entered the apartment knifes the woman in bed. Humanity, being what it is, makes that act believable enough, but Dick Van Dyke? He plays the killer! I kept thinking how glad I was that Mary Tyler Moore got out when she did.

Naturally, the victim's lover is caught with the knife in his hand. Matlock agrees to take the case for free (I bet he does every week) after hearing the accused's protests in that stupid dialogue that opened this review. Now we're in court for a trial date to be set (about two days after the murder). You have to imagine the foreboding background music when "the judge" enters. Its Dick!

Now it's time for Matlock to recall everything that he learned as a sheriff in Mayberry because for the remainder of the show he plays cop. Of course, the viewing audience has already witnessed the crime as well as the work leading up to it. We are consequently amazed at the remarkably accurate deductions that this mortal lawyer makes towards solving the mystery of the true killer. He gets everything right!

The courtroom scenes towards the end of the hour

## Announcements

Cont'd from p. 2

### URGENT — WAITING LISTS

All students who signed up for closed courses for the Fall semester please come to the SAO to find out the final decisions.

### SDI McGill ILS

La Société de droit international de l'Université McGill organisera à la mi-octobre un voyage à Ottawa afin d'offrir aux étudiants la chance de participer à la conférence annuelle du Conseil canadien du droit international. La conférence se déroulera du 16 octobre (soirée) au 18 octobre (finissant à midi) au Château Laurier. Le thème cette année est "Le droit international et le développement"; il sera traité particulièrement des questions suivantes: "Termes du commerce nord-sud: préférences et/ou protectionnisme"; "Le commerce des biens"; "Environnement réglementation sociale et développement"; "Le financement du développement et le problème de la dette"; "Culture, information et développement"; "Transfert de technologie";

"Les droits de l'homme et le développement".

Anyone interested in attending the conference, and desiring more information on registration, travel and accommodation arrangements can leave a note at S.A.O. for the I.L.S. with their name and phone number.

The I.L.S. will also be starting up its lunchtime seminar series on topics of interest in both private and public international law. Keep an eye out for posters, and bring your lunch and a friend - everyone is welcome.

### Colloque

Le Directeur du Centre de recherche en droit privé et comparé du Québec le Pr Paul-André Crépeau a l'honneur de vous inviter, dans le cadre des Rencontres du Centre, à un Colloque sur "L'Indemnisation du préjudice corporel: Capital ou rente?" avec la participation de: Monsieur le Juge René Letarte, J.C.S., M. Normand Gendron, Actuaire, de l'étude Hébert, Lehouillier inc., Me Raymond Duquette, de l'étude Duquette, l'Escadres & Associés au Moot Court de la Faculté de droit, Université McGill, le vendredi, 3 octobre 1986 à 17h00. Vin d'honneur à 19h00 au Common Room.

Cont'd on p. 8



# But Seriously Folks !

by Teresa Scassa

Although the law cafeteria could easily be an endless source of (albeit black) humour, I am afraid that it might have to be taken seriously for once.

The response to recent Quid articles on the cafeteria indicates that there are far too many dissatisfied would-be eaters in the faculty. The masses are apparently lining up for revolution. The questions becomes how to act.

It has been pointed out that alternate lunch-time food is available within a 500m radius of the law school. The variety is far greater and includes hot meals. The cost is often significantly lower. Yet, although it appears to make sense to simply eat elsewhere, it would be a mistake to allow ourselves to be driven outside of the faculty for a decent meal. The weather will soon be colder than cafeteria food. No one will want to brave the deep-freeze to save ten

cents on a cup of coffee. Yet to pay that ten cents is to buy into our own exploitation.

At present, research is being done into the nature of the cafeteria contract with the faculty of law. In the meantime, creative ideas are needed for ways in which to express our dissatisfaction. Suggestions and recommendations for an improved cafeteria service are also essential to any movement for change. The co-operation of all sentient stomachs is required to create a cafeteria service suited to student needs. If you feel at all creative, sentient or co-operative, your input will be cherished. Simply contact the author of this article in person or through the LSA.

In the meantime, there seems to be little else to do but to wish all students the courage required to face whatever may lie between the two halves of a stale bun. Lettuce pray.



## Mayberry Meets Mason Cont'd from p. 7

save this from being just another dump cop show. It's just another dumb lawyer show. Before the judge is called to the stand in his own court, we get a festival of trial clichés. Matlock is sly yet congenial. The victims' sleazy mother puts on a crying act in the witness box. The jury members are flinchless, like zombies. There's the usual chorus and refrain of "objection yer honah! and "sustained", "objection yer honah" and "overruled!" Not surprisingly, Matlock ultimately triumphs in exposing Dick before the murmuring masses in this legal theatre.

To be fair, the show is entertaining, fun to pick apart. But that is its only use in challenging the jurisprudential imagination or supplementing the legal education of a law student. Maybe next week I'll tell you about "L.A. Law".

## Computer User Group Cont'd from p. 6

In order to acquire your user card, you must sign up at S.A.O. When a sufficient number of students have signed up, we will acquire the user cards and sell them through the bookstore. In the alternative, if you don't wish to wait you can purchase your user card directly from the computer lab for a fee of \$30/per semester. There is also the possibility of purchasing a 3 visit pass for \$5.00.

Finally, in order to monitor law student use of the computer lab, please identify yourself as a law student when using the facilities.

The Student/Faculty Computer User Group is also looking for programming help and ideas for making the Law Faculty computer user-friendly. If you would like to get involved please contact John Godber or Prof. Simmonds through the S.A.O.



# McGill Business Law Seminars

A new initiative by the McGill Law Faculty and the Montreal Board of Trade will lead this fall to an informative series of lectures given by distinguished Montreal lawyers. The lawyers have been invited by the Faculty to share their expertise with local businesses and individuals, and ample time has been provided for questions and discussions during each seminar. Grouped around the theme The Law and You...A Practical Guide, the sessions - two in English, two in French - will use the considerable skills and background of practising professionals to give detailed advice on:

## 1. Tax and Civil Aspects of ... Executive Compensation

a) Incentives...possible pitfalls...the latest tax law implications in maximizing employee remuneration.

b) Dismissal...the rights and obligations of employees and employers - the latest trends in court cases.

## 2. Comment la loi sur les compagnies peut être mise au service de votre entreprise

Comment... utiliser la Loi québécoise sur les compagnies à son avantage pour la création ou la croissance d'une entreprise: acquisition, financement public, fusion et tous les aspects juridiques concernant une compagnie.

## 3. Vous envisagez de devenir une entreprise publique?

Obtenez tous les détails importants qu'il vous faut considérer si vous comptez transformer votre société privée en société publique. Cette possibilité est de plus en plus considérée au Québec parce qu'elle est très avantageuse.

## 4. Labour Relations in the non-union organization. How to treat employees where there is no union.

a) Labour harmony - successful techniques that are being used to promote and encourage labour harmony and employee job satisfaction.

b) Labour laws - new complex legislation in the field of non-unionized employer-employee relations.

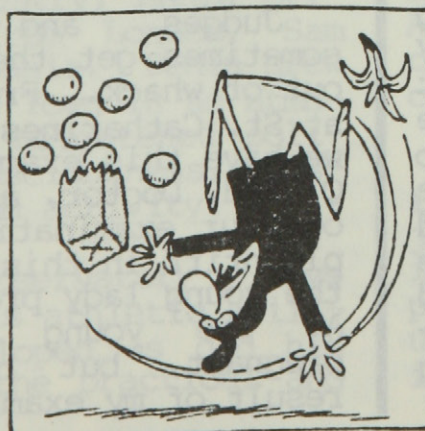
c) Labour disputes - current legislation to protect the rights of management.

d) Dismissal - necessary steps that must be taken when considering dismissal of employees.

According to Law Dean Roderick Macdonald, "the practicing professionals have been selected from the leading authorities in each field." Among their talents, he notes, is "the ability to address clearly and succinctly the practical concerns and needs of the business community." The prominent firms from which these individuals have been selected include Phillips & Vineberg; Stikeman, Elliott; Lévesque Beaubien; Martineau Walker; and Heenan, Blaikie, Jolin, Potvin, Trépanier, Cobbett.

Each session is designed to run approximately three hours, scheduled on the mornings of October 8, October 30, November 12, and November 26, at the McGill Faculty of Law, 3644 Peel. Printed notes summarizing each session will be available to participants.

The Wizard of Id



By Brant Parker and Johnny Hart



# P O T P O U R R I

We are all acutely aware of the limited time available to a McGill Law Student to indulge in such whims as leisure activities. The Quid Novi in an effort to assuage this abominable situation, is introducing a new column "**Potpourri**". For those of you unable to maintain daily contact with the real world via newspaper, radio or television, we aim to keep you abreast of present, past and continuing legal developments in and around the city, the province, the country and the world. Should you wish to alert Quid readers to any recent occurrences in the legal community, please let us know. This week:

- The Quebec Court of Appeal has struck down sections of the Consumer Protection Act barring advertising aimed at children younger than thirteen years of age on the grounds that they violate Charter guarantees of freedom of expression. The Court refused the Crown's arguments that commercial speech should not be accorded the same level of protection as political or artistic expression. The Justice Minister has stated the Department will apply for leave to appeal this ruling to the Supreme Court of Canada on the basis that freedom of expression is not prohibited, but merely restricted in conformity with Section 1 of the Charter.

- The Justice Minister, Mr. Herbert Marx, has also decided to delay filing charges against Zeller's Department Stores for violations of Law 101. The chain has been posting bilingual signs at its stores frequented largely by anglophone consumers.

The constitutionality of prohibiting bilingual commercial signs is currently before the Quebec Court of Appeal on the grounds that it violates guarantees of freedom of speech found in the Quebec Charter of Rights.

- Last week in Toronto, Ernst Zundel's appeal against his conviction under Section 177 of the Criminal Code for wilfully publishing anti-Jewish literature got under way. Zundel is appealing the conviction on the grounds that Section 177 is unconstitutional because it violates freedom of speech, opinion and expression guarantees under the Charter.

- The Yukon Supreme Court has ruled that that provinces' legislation does not have to be bilingual. In his decision, Justice Perry Meyer stated that the provincial government was not equivalent to a government agency or institution like Air Canada, and therefore was not subject to Charter language provisions. Rather, the Yukon is like "an infant province with most but not all the attributes of a real province," and hence has jurisdiction over language in the territory.

- Despite a Quebec Superior Court ruling barring all but specific stores from opening Sunday's, many Quebec merchants are doing business on what they say is one of their busiest days of the week. While fines could run up to \$10,000 dollars, many store owners say that they would lose as much as that in one day if they were closed Sundays. The constitutionality of this law is being appealed.

## Words Of Wisdom

The law can make you quit drinking; but it can't make you quit being the kind that needs a law to make you quit drinking."

**Don Marquis**

"Accuracy and diligence are much more necessary to a lawyer than great comprehension of mind, or brilliancy of talent. - His business is to refine, define, split hairs, look into authorities, and compare cases. - A man can never gallop over the fields of law on Pegasus, nor fly across them on the wings of oratory. - If he would stand on terra firma, he must descend. - If he would be a great lawyer, he must first consent to become a great drudge.

**Daniel Webster**

Reproduced from the book "**Court Jesters**" by Peter V. MacDonald, Q.C.

If you like fast wit, harken to this. A Manitoba judge recently gave a man a much heavier jail term than the man had expected. They had a short conversation which went as follows:

"I'm sentencing you to a year in prison."  
"Well, I'll be fucked!"  
"Not for a year you won't!"

Judges and lawyers sometimes get their syntax out of whack. From a trial at St. Catharines, Ontario, we have this example:

Q: And, Doctor, as a result of your examination of the plaintiff in this case, was the young lady pregnant?

A: The young lady was pregnant, but not as a result of my examination.